

### REMARKS

This Application has been reviewed in light of the Final Office Action mailed July 10, 2008. At the time of the Office Action, Claims 1-12 and 14-22 were pending in this Application. Claims 1-12 and 14-22 were rejected. Claim 13 was previously cancelled. Applicants request reconsideration and allowance of all pending claims.

#### Claim Objections

Claims 9-22 were objected to. According to the Examiner, there is insufficient support for the term “tangible” in the context of the phrase “tangible computer readable media” recited in Claims 9-22. Applicants are baffled by this objection. The common definition of the word tangible is “capable of being touched” or “real.” (See, e.g., <http://www.merriam-webster.com>, which defines tangible as “1 a: capable of being perceived especially by the sense of touch: palpable b: substantially real: material”).

The Specification certainly provides support for “tangible computer readable media.” For example, the Specification, at page 8, lines 11-25, explains:

Cluster controller 20 and hosts 22 each include a processing core with at least one central processing unit (CPU), as well as data storage in communication with the processing core. **The data storage is used to hold or encode data and computer instructions for automatically naming the hosts. The data storage may be implemented as one or more hardware components from technologies including random access memory (RAM), read-only memory (ROM), disk drives, other non-volatile memory components, or any other suitable technology.** The computer instructions may also be referred to generally as a program product or specifically as auto-host-naming software. In alternative embodiments, some or all of the control logic for automatically assigned host names may be implemented in hardware. (emphasis added)

“[R]andom access memory (RAM), read-only memory (ROM), disk drives, other non-volatile memory components” are all examples of “tangible computer readable media.” The Examiner’s objection to Claims 9-22 has no merit and should be withdrawn.

**Rejections under 35 U.S.C. §103**

Claims 1-4, 6, 9-11, 16-18, and 22 stand rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent Application Publication 2002/0161868 by Chakkalamattam J. Paul et al. ("*Paul*") in view of U.S. Patent 5,974,547 issued to Yevgeniy Klimenko ("*Klimenko*").

Claims 5, 7-8, 12, 14-15, 19 and 21 were rejected under 35 U.S.C. §103(a) as being unpatentable over *Paul*, in view of *Klimenko*, in further view of U.S. Patent No. 5,864,656 issued to Jee-Kyoung Park ("*Park*").

These rejections under 35 U.S.C. §103(a) are identical to those previously presented by the Examiner, e.g., in the Final Office Action mailed October 4, 2006 and the Non-Final Office Action mailed January 14, 2008. Once again, Applicants maintain their positions regarding these rejections (as stated in the Appeal Brief filed December 13, 2007, the Response to Final Office Action mailed February 5, 2007, and the Response to Non-Final Office Action April 14, 2008).

When Applicants appealed these exact same §103 rejections, the Examiner pulled the application from appeal and back into prosecution, likely realizing the chances of his §103 rejections before the Board. However, upon returning the application to prosecution, instead of addressing Applicants' arguments regarding the inadequate §103 rejections, the Examiner made a token §101 rejection that has been available to the Examiner from the beginning of prosecution, yet never asserted by the Examiner. Then, once Applicants addressed the token §101 rejection by amending the claims (even when not necessary), the Examiner responded with a Final Office Action asserting a baseless objection to the word "tangible."

Applicants request that the Examiner address the real issue at hand -- namely, the inadequacies of the Examiner's §103 rejections, which Applicants have thoroughly explained, for example, in Applicants' Appeal Brief dated December 13, 2007.

Applicants note that since receiving the Final Office Action mailed July 10, 2008, Attorney for Applicants, Mr. Eric Grabski has called and left voice messages with both Examiner Bhatia and supervising Examiner Cardone and never heard back from either.

**CONCLUSION**

Applicants have now made an earnest effort to place this case in condition for allowance in light of the amendments and remarks set forth above. Applicants request reconsideration and allowance of Claims 1-12 and 13-21.

Applicants believe there are no fees due at this time. However, the Commissioner is hereby authorized to charge any fees necessary or credit any overpayment to Deposit Account No. 50-2148 of Baker Botts L.L.P.

If there are any matters concerning this Application that may be cleared up in a telephone conversation, please contact Applicants' attorney at 512.322.2689.

Respectfully submitted,  
BAKER BOTTS L.L.P.  
Attorney for Applicants

*E.M. Grabski*

Eric M. Grabski  
Reg. No. 51,749

Date: October 10, 2008

SEND CORRESPONDENCE TO:  
BAKER BOTTS L.L.P.  
CUSTOMER ACCOUNT NO. **23640**  
512.322.2689  
512.322.8320 (fax)